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*Attorneys for Raptor Mining Products (USA)
Inc. and Raptor Mining Products Inc.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ESCO CORPORATION and ESCO
CANADA, LTD.

Plaintiffs,

v.

CASHMAN EQUIPMENT COMPANY,
CATERPILLAR GLOBAL MINING LLC,

Case No.: 2:12-cv-01545-RCJ-NJK

**STIPULATION AND [PROPOSED ORDER]
FOR EXTENSION TO RESPOND TO
PLAINTIFFS' MOTIONS:**

- 1) **TO DISMISS DEFENDANTS'
COUNTERCLAIMS [DKT 160];**

CATERPILLAR INC., RAPTOR MINING
PRODUCTS (USA) INC., and RAPTOR
MINING PRODUCTS INC.
Defendants.

- 2) **TO STRIKE DEFENDANTS’
AFFIRMATIVE DEFENSES
RELATING TO INEQUITABLE
CONDUCT [DKT 164];**
- 3) **TO SEVER AND STAY THE
REMAINING COUNTERCLAIMS AND
AFFIRMATIVE DEFENSES [DKT 165];
AND**
- 4) **TO STAY REMAINING
COUNTERCLAIMS AND
AFFIRMATIVE DEFENSES
RELATING TO ANTITRUST AND
MISUSE [DKT 166]**

(Second Request)

Plaintiffs/Counter-defendants ESCO Corporation and ESCO Canada Ltd. (collectively, “Plaintiffs”) and Defendants/Counterclaimants Cashman Equipment Co., Caterpillar Global Mining LLC, Caterpillar Inc. (together, the “Caterpillar Parties”), and Defendant/Counter-claimant Raptor Mining Products, Inc. and Defendant Raptor Mining Products (USA) Inc. and (together, the “Raptor Parties,” and collectively with the Caterpillar Parties, the “Defendants”), by and through their respective legal counsel, HEREBY STIPULATE AND AGREE to allow Defendants two additional weeks to respond to Plaintiffs’ Motion to: (1) Dismiss Defendants’ Counterclaims and Strike Defendants’ Affirmative Defenses Relating to Inequitable Conduct; and (2) Sever and Stay the Remaining Counterclaims and Affirmative Defenses Relating to Antitrust and Misuse (the “Motions”) [Dkt. Nos. 160 and 164-166], making their oppositions due **June 22, 2015.**

In support of this Stipulation, the Raptor Parties state:

1. Pursuant to a Joint Stipulation and Order [Dkt. No. 168], the current deadline for Defendants to oppose the Motions, originally filed on May 13, 2015 and re-filed on May 14, 2015, is June 8, 2015.

2. John Krieger, Esq. and Joel Z. Schwarz, Esq., counsel of record for the Raptor Parties, are joining the law firm of Dickinson Wright, PLLC effective June 8, 2015 and their current firm, Gordon Silver, is winding down operations and re-locating its document storage

1 and email servers from June 5, 2015 through June 8, 2015, during which time counsel will not
2 have access to the file in this matter.

3 3. To accommodate the re-location of the Raptor Parties' counsel, Plaintiffs have
4 agreed to allow Defendants two additional weeks to respond to the Motions.

5 4. The parties previously stipulated to a one-week extension of Defendants'
6 opposition deadline.

7 5. There is good cause for this stipulation, as set forth above, and this extension is
8 not requested for any improper purpose or delay.

9 DATED: June 4, 2015.

10 /s/ Binal J. Patel

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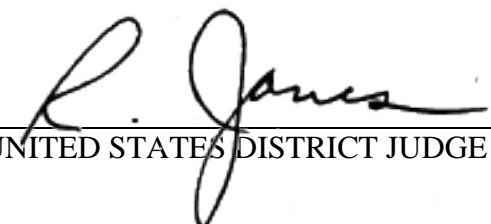
/s/ John L. Krieger

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25 IT IS SO ORDERED this 5th day of June, 2015.

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UNITED STATES DISTRICT JUDGE